

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 10-14 are currently pending. Claims 10-13 are hereby added, then claims 1-9 are canceled. Claims 10 and 13 are independent. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-9 were rejected under 35 U.S.C. §102 as allegedly anticipated by U.S. Patent No. 6,456,445 to Nomura et al. (hereinafter, merely “Nomura”).

Applicants respectfully traverse this rejection.

Independent claim 10 is representative and recites, *inter alia*:

“position-detecting means provided within the fixed barrel for detecting a position of the one lens barrel,

...
wherein a position of said zoom lens frame is detected by said position-detecting means between said collapsed position and a wide position, and

...

wherein a position of said zoom lens frame is not detected by the position-detecting means between the wide position and the telephoto position.”
(Emphasis added)

As understood by the Applicants, Nomura describes, in relevant part, a camera provided with a cam mechanism of a zoom lens. The zoom lens is provided with a linear guide barrel and a cam barrel.

The present invention is distinguishable from Nomura for at least two reasons.

First Distinction:

Claim 10 recites, “position-detecting means provided within the fixed barrel for detecting a position of the one lens barrel.” That is, the position-detecting means is within the fixed barrel. As illustrated in FIGS. 1A-1C of the present application, the fixed ring supports the cam ring that is movable in the direction of the optical axis. The fixed ring is fixed integrally on the front surface of the rear barrel. Publ. App. pars. [0061]. The position-detecting means detects the position of the lens barrel. In one embodiment, a photo-sensor 72 is mounted on the rear barrel 17, the photo-sensor 72 or projection 71 is mounted on the inside of fixed ring 15. Publ. App. pars. [0074].

The Office Action points to Nomura, FIGS. 1 and 2 for the feature of the position-detecting means within the fixed barrel. This is a misreading of Nomura. The Office Action, at page 2, states the fixed barrel of the present invention corresponds with Nomura element 11(F) and the position-detecting means of the present invention corresponds with Nomura element 14,

15. However, as clearly illustrated in Nomura's FIG. 1 (as well as FIG. 2), Nomura's position-detecting means 14,15 is outside the fixed barrel 11(F).

Thus, the claim 10 element, "position-detecting means provided within the fixed barrel for detecting a position of the one lens barrel" is not disclosed or suggested by Nomura.

Therefore, claim 10 is not anticipated by Nomura because that reference does not disclose each and every element recited in the claim.

For reasons similar or somewhat similar to those described above with regard to independent claim 10, independent claim 13 is also believed to be patentable.

Second Distinction:

Claim 10 recites, "a position of said zoom lens frame is detected by said position-detecting means between said collapsed position and a wide position . . . a position of said zoom lens frame is not detected by the position-detecting means between the wide position and the telephoto position."

In other words, in a relevant part of one embodiment, the detecting projection is arranged to enter a detecting portion of the photo-sensor in the collapsed state in FIG. 1A and to retreat from the photo-sensor 72 in the wide state in FIG. 1B, thereby enabling the wide position to be detected. In addition, between the wide state in FIG. 1B and the telephoto state in FIG. 1C, the detecting projection 71 always retreats from the photo-sensor 72.

Accordingly, there can be performed such control as to limit a dynamic range of the focusing lens portion when the photo-sensor 72 is ON and to allow the focusing lens portion to move in a full dynamic range when the photo-sensor is OFF. Publ. App. pars. [0070]-[0071].

The Office Action at page 3, last paragraph, points to Nomura, “aee function of 17 and 18 in Figs. 3, 8, and 9 and for example see col. 8, lines 36-62, col. 12, lines 18-42, and see col. 5, lines 51 to col. 6, line 19.” However, at each of the cited locations, Nomura is describing only the structure of the cam barrels and the relative movements of the barrels between accommodation, telephoto, and wide angle positions.

Applicants take no position at this time whether the position-detecting means 14,15 of Nomura detects a position of the zoom lens L1 between a collapsed position and a wide position. However, there is no suggestion at any of the cited locations or anywhere else in Nomura, the position-detecting means 14, 15 does not detect the location of the zoom lens between the wide position and the telephoto position. Indeed, Applicants’ understanding of Nomura is just the opposite.

Therefore, claim 10 is not anticipated by Nomura because that reference does not disclose each and every element recited in the claim.

For reasons similar or somewhat similar to those described above with regard to independent claim 10, independent claim 13 is also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 10-14 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: _____


Paul A. Levy
Reg. No. 45,748
(212) 588-0800